

# United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

CSX CORPORATION

## SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER:

THE CHILDREN'S INVESTMENT FUND MANAGEMENT (UK) LLP, THE CHILDREN'S INVESTMENT FUND MANAGEMENT (CAYMAN) LTD., THE CHILDREN'S INVESTMENT MASTER FUND, 3G CAPITAL PARTNERS LTD., 3G CAPITAL PARTNERS, L.P., 3G FUND, L.P., CHRISTOPHER HOHN, SNEHAL AMIN and ALEXANDRE BEHRING, a/k/a ALEXANDRE BEHRING COSTA

08 CV 02764

TO: (Name and Address of Defendant)

SEE ATTACHMENT A

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Rory O. Millson  
Francis P. Barron  
Michael A. Paskin  
CRAVATH, SWAINE & MOORE LLP  
825 Eighth Avenue  
New York, NY 10019  
(212) 474-1000

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

J. MICHAEL McMAHON

CLERK

MAR 17 2008

DATE

BY DEPUTY CLERK

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me <sup>1</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
Check one box below to indicate appropriate method of service		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: _____            _____         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.            Name of person with whom the summons and complaint were left: _____            _____         </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: _____            _____            _____         </div> <div> <input type="checkbox"/> Other (specify): _____            _____            _____         </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on _____ <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Date</div> <div style="width: 30%;">Signature of Server</div> <div style="width: 30%;"></div> </div> <div style="margin-top: 20px; text-align: center;">           _____            Address of Server         </div>		

2) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**ATTACHMENT A**

**Defendants:**

**THE CHILDREN'S INVESTMENT FUND MANAGEMENT (UK) LLP**

7 Clifford Street  
London, W1S 2WE  
United Kingdom

**THE CHILDREN'S INVESTMENT FUND MANAGEMENT (CAYMAN) LTD.**

PO Box 309GT  
Ugland House  
South Church Street  
George Town, Grand Cayman, Cayman Islands  
British West Indies

**THE CHILDREN'S INVESTMENT MASTER FUND**

PO Box 309GT  
Ugland House  
South Church Street  
George Town, Grand Cayman, Cayman Islands  
British West Indies

**3G CAPITAL PARTNERS LTD.**

36A Dr. Roy's Drive  
PO Box 2510  
George Town, Grand Cayman, Cayman Islands  
British West Indies

**3G CAPITAL PARTNERS, L.P.**

36A Dr. Roy's Drive  
PO Box 2510  
George Town, Grand Cayman, Cayman Islands  
British West Indies

**3G FUND, L.P.**

36A Dr. Roy's Drive  
PO Box 2510  
George Town, Grand Cayman, Cayman Islands  
British West Indies

**CHRISTOPHER HOHN**

In care of The Children's Investment Fund Management (UK) LLP  
7 Clifford Street  
London, W1S 2WE  
United Kingdom

**SNEHAL AMIN**

10022 Lakeside Gables Drive  
Houston, TX 77065 (Harris County)

**ALEXANDRE BEHRING, A/K/A ALEXANDRE BEHRING COSTA**

In care of 3G Capital Inc.  
800 Third Avenue  
31st Floor  
New York, NY 10022 (New York County)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CSX CORPORATION,

Plaintiff,

vs.

THE CHILDREN'S INVESTMENT FUND  
MANAGEMENT (UK) LLP, *et al.*,

Defendants.

08 CV 02764  
(LAK) (KNF)

**DECLARATION OF SERVICE**

KEITH S. KAPLAN hereby declares as follows:

I am over the age of 18 years, not a party to this action and reside  
at 670 Ramapo Rd., Teaneck, NJ 07666.

On the 17th day of March, 2008, I served the SUMMONS AND  
COMPLAINT, RULE 7.1 STATEMENT, INDIVIDUAL PRACTICES FOR JUDGE  
LEWIS A. KAPLAN and INDIVIDUAL PRACTICES FOR MAGISTRATE JUDGE  
KEVIN N. FOX

upon:

THE CHILDREN'S INVESTMENT FUND  
MANAGEMENT (UK) LLP

THE CHILDREN'S INVESTMENT FUND  
MANAGEMENT (CAYMAN) LTD.

THE CHILDREN'S INVESTMENT MASTER  
FUND

CHRISTOPHER HOHN

SNEHAL AMIN

by personally delivering true and correct copies of the aforementioned documents to

Howard O. Godnick, Esq.  
SCHULTE ROTH & ZABEL, LLP  
919 Third Avenue  
New York, NY 10022  
*Attorney for above listed Defendants*

Said documents were accepted by Barbara "Doe", Mr. Godnick's administrative assistant who confirmed that she was authorized to accept service on his behalf.

Dated, this 24th day of March, 2008, at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Keith S. Kaplan